

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – CCP 43 of 2021 (OA 920 of 2019)

Md. Israíl -- VERSUS – Mrs. Smaraki Mahapatra, Secy., L & LR and RR & R Deptt., GoWB

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Mr. G. Halder, Ld. Advocates.
<u>10</u> 24.11.2022	For the Contemnor/OP	: Mr. A. De, Ms. R. Sarkar, Depttl. Representatives.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Mr. Roy, learned counsel for the applicant submits that although the alleged contemnor had complied with the order dated 15.02.2021 by giving notional promotion to the applicant, however, the alleged contemnor has not been given the 18% per annum rate of interest on the arrears. Mr. Roy submits that the question of payment of interest was very clearly touched upon on the order dated 15.02.2021 and since the payment of interest was part of the application, which was accepted, therefore, it is binding on the alleged contemnors to pay the 18% per annum rate of interest.

Mr. De, the Departmental Representative appearing on behalf of the alleged contemnor submits that the order dated 15.02.2021 has been fully complied with and the order does not state anything about interest payment.

Having heard both the learned advocate and the Departmental Representative and perusing the records, I am of the view that the order dated 15.02.2021 has been substantially complied with by the alleged contemnor. Moreover, the order to be complied does not mention anything about the interest to be paid. Therefore, the contempt proceedings are **dropped** and the contempt application is **disposed of**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)